

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ERIC WADE AND YVETTE TOY

PLAINTIFFS

v.

CIVIL ACTION NO.: 4:23-CV-00111-MPM-JMV

**CITY OF GREENVILLE POLICE
DEPARTMENT**

DEFENDANT

ORDER STAYING CERTAIN PROCEEDINGS

Plaintiffs Eric Wade and Yvette Toy brought suit against Defendant City of Greenville Police Department, asserting federal claims of false arrest and unlawful force, along with claims for false arrest, assault, and battery under Mississippi law. Doc. No. 2. Defendant has moved to dismiss Plaintiffs' claims under Federal Rule of Civil Procedure 12(b)(6), raising, among other arguments, immunity under the Mississippi Tort Claims Act. Doc. Nos. 6-7. Under Rule 16(b)(3)(B) of the Uniform Local Rules of the United States District Courts for the Northern and the Southern Districts of Mississippi, “[f]iling a . . . motion asserting an immunity defense . . . stays the attorney conference and disclosure requirements and all discovery, pending the court’s ruling on the motion, including any appeal.”

ACCORDINGLY, IT IS ORDERED that the proceedings enumerated in Rule 16(b)(3)(B), along with the case management conference, are stayed pending a ruling on Defendant's Motion to Dismiss [Doc. 6].

ORDERED, this the 26th day of June, 2023.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE